

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

JESUS E. QUINONES LUIGGI

Plaintiff

vs.

COMMONWEALTH OF PUERTO RICO;
JUSTICE DEPARTMENT OF PUERTO
RICO; PUERTO RICO POLICE
DEPARTMENT, SPECIAL OPERATIONS
DIVISION (POLICIA DE PUERTO RICO,
DIVISION DE OPERACIONES
ESPECIALES), AGENT JOSE NERIS
SERREANO, AGENT CHRISTIAN
ARVELO, JANE DOE, JOHN DOE;
INSURANCE COMPANIES A, B, C.

Defendants

CIVIL NO.:

ACTION FOR DAMAGES
VIOLATION OF CIVIL RIGHTS, POLICE
BRUTALITY, EXCESSIVE FORCE,
TORTURE, MALICIOUS PROSECUTION
AND OTHERS

PLAINTIFF DEMANDS TRIAL
BY JURY

COMPLAINT

TO THE HONORABLE COURT:

COMES NOW Plaintiff, Jesus E. Quinones Luiggi, through the undersigned attorney, and most respectfully alleges and prays as follows:

1. Plaintiff brings this action under the Amendments 4th, 8th and 14th of the Constitution of The Unite States of America and Section 1983 of the Civil Rights Act of Title 42.

2. This Honorable Court has jurisdiction pursuant to the following statutes:
 - a. 28 U.S.C. Section 1331, which gives District Courts original jurisdiction over civil actions arising under the Constitution, law or treaties of the United States;
 - b. 28 U.S.C. Section 1343 (3) and (4), which gives District Courts jurisdiction over actions to secure civil rights extended by the United States government;
 - c. 28 U.S.C. Section 1337, which gives the District Court supplemental jurisdiction over state law claims.

3. Pursuant to Title 28 of the United States Code, Section 1331 (b) venue of this action is proper in this district because the events, acts or omissions giving rise to the claims occurred in this district.

II. PARTIES

4. Plaintiff Jesus E. Quinones Luiggi, unemployed at this time, single and resident of San Juan, Puerto Rico; and citizen of the United States of America. He resides at: 1621 Rodano St., Urb. El Paraiso, San Juan PR 00926.
5. Defendants Commonwealth of Puerto Rico; Justice Department Of Puerto Rico; Addressed at: Calle Olimpo, Esq. Axtmayer, Pda. 11, Miramar, San Juan; PO Box 90200192, San Juan, PR 00902-0192.

6. Puerto Rico Police Department, Special Operations Division (Policia de Puerto Rico, Division de Operaciones Especiales), PO Box 70166, San Juan, PR 00936-8166.
7. Co-Defendant José Neris Serrano, Police Agent badge 34533, personal circumstances and address unknown at this time
8. Co-Defendant Chistian Arvelo, Police Agent badge 34612, personal circumstances and address unknown at this time.
9. John Doe and Jane Doe, who are natural persons whose name and personal circumstances are unknown at this time, but who are responsible for the negligent actions or omissions stated in this claim.
10. Co-Defendants Insurance Companies A, B and C, so named because their real names are unknown at present, are insurance companies organized under the laws Puerto Rico or of states other than the state of Puerto Rico with their respective principal places of business in Puerto Rico or in states other than Puerto Rico, who had issued insurance policies in favor of one or more of the other named defendants to this action and/or third parties, which cover events and damages as those suffered by the Plaintiff, as are more particularly set forth herein below.

III. MAIN FACTS

11. On September 11th, 2010 around 4:00 am, at "Las Amapolas" Residential Complex in San Juan, Puerto Rico, Plaintiff Jesus E. Quinones Luiggi was

illegally detained, bullied, tortured, injured and maliciously prosecuted by Puerto Rico Police Department, Special Operations Division agents Jose Neris Serrano, badge number 34533, Christian Arvelo badge number 34612, among others, who have not been identified by their names at this time. Actions or omissions perpetrated by all co-Defendants named and unnamed under color of authority in complete abuse and power in total disregard of Civil and Human Rights, and or life of Plaintiff.

12. All illegal actions stated above occurred while Plaintiff was walking in mentioned Residential Complex.
13. All Defendants proceeded to bully Plaintiff without motive, restraining his freedom, and immediately beat him up with fists and baton weapons, until Plaintiff fell to the floor.
14. After Plaintiff was illegally submitted by force and already in custody, all Defendants continued with the abusive conduct mentioned above further torturing him with pepper spray and Taser until he was handcuffed.
15. While handcuffed, all Defendants proceeded to place Plaintiff's head under water while continuing the beating. After a while, Defendants proceeded to set Plaintiff in the Squad car where two agents and Defendants continued to hit, bully and torture Plaintiff aggressively.
16. Defendants proceeded with Plaintiff to the 65 Infantry Police Station where he was not incarcerated, but otherwise placed at the second floor of the

building where Defendants were joined by others unnamed and unknown and continued the merciless beating, hitting and kicking him in his head among other parts of his body, and torturing Plaintiff with less lethal weapons.

17. All co-Defendants acted or omitted negligent actions in complete disregard of Rules and Procedures in the proper handling and submission of suspects by means of less lethal weapons.
18. Furthermore all less lethal weapons legally available to the Defendants were misused during acts of oppression, humiliation incurring in conduct on becoming an officer and representative of law, all negligent actions perpetrated under color of authority and misconduct depriving Plaintiff of all Civil Rights.
19. Co-Defendants maliciously prosecuted Plaintiff before the San Juan Municipal Court at around 11:00 a.m., who was deprived of acquiring legal representation, in order to face felony charges of obstruction of justice, and felony possession of cocaine, by himself.
20. All illegal charges and accusations were promptly and immediately dismissed on the same day as the actions and omissions above related.
21. Plaintiff attended Emergency Room of “Centro de Salud de Rio Piedras” the next day to be treated of all body trauma and injuries caused by all above

named and unnamed agents during the illegal intervention, detention and malicious prosecution above stated.

22. At the time that Plaintiff was attended in the Emergency Room, all body injuries were clearly visible due to the extension of the damage sustained in all areas of his body including head, chest, genital area and extremities.
23. All Defendants' actions and omissions were perpetrated in complete disregard and violation of Plaintiff's health, well-being, Constitutional, Civil and Human Rights in conduct unbecoming an officer and representative of the law.
24. All actions and omissions were perpetrated in direct violation of all of State and Federal Constitution.
25. The Commonwealth of Puerto Rico and all other co-Defendants are the employers or representatives of the Puerto Rico Police Department, Special Operations Divisions and are thus responsible for all actions or omissions alleged before.
26. Plaintiff demands trial by jury in this action.

IV. DAMAGES

27. Moreover, the actions or omissions described above have caused irreparable damages to Plaintiff.

28. All Defendants' actions or omissions were perpetrated to cause great injuries and bodily harm, no medical assistant was provided by Defendants to Plaintiff.

29. The actions and/or omissions, performed or neglected, jointly and severely by all co-defendants as above mentioned have caused continuous damages to plaintiff estimated, but not limited to the amount of \$5,000,000.00 dollars. Punitive Damages are also being sought due to the negligent nature of all defendants' actions and omissions, estimated but not limited to the amount \$10,000,000.00.

V. PRAYER

WHEREFORE, it is respectfully prayed of this Honorable Court to take notice of all the aforementioned and proceed to order Plaintiff to be compensated in Damages as prayed for an amount not less than \$5,000,000.00 and punitive damages for an amount not less than \$10,000,000.00, arising from the gross neglect and capricious conduct incurred in by the co-defendants, jointly and severely, along with any other remedy deemed just and proper.

RESPECTFULLY SUBMITTED.

I HEREBY CERTIFY that on this date, copy of the foregoing motion is being filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all corresponding parties.

In San Juan, Puerto Rico, at this day, September 12, 2011.

ARTURO GUZMÁN GUZMÁN
Attorney for Plaintiff

S/ARTURO GUZMÁN GUZMÁN
U.S.D.C. NO. 227512
Guzmán Guzmán Law Offices
Cond. Darlington Suite 207
1007 Muñoz Rivera Avenue
San Juan, Puerto Rico 00925
Tel./Fax 787-758-6521
Cel. 787-536-7857
agglawoffices@yahoo.com